

32692
Customer Number

Patent
Case No.: 58821US006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: YOKOYAMA, CHIKAFUMI
Application No.: 10/595093 Confirmation No.: 2464
Filed: August 17, 2004
Title: PRECURSOR PASTE AND METHOD OF PRODUCING THE SAME

**37 CFR § 1.47 (b) RENEWED SUPPLEMENTAL PETITION
TO FILE ON BEHALF OF AN INVENTOR**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.47(b) and 35 U.S.C. §116, second paragraph, Applicant submits this Petition seeking permission to file the above-identified application on behalf of and as agent for Chikafumi Yokoyama, the sole inventor, who has refused to execute the application.

A petition under 37 CFR 1.47(b) must be accompanied by (1) the requisite petition fee, (2) factual proof that the inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the inventor, (4) an oath or declaration by the 37 CFR 1.47(b) applicant on behalf of and as agent for the non-signing inventor, (5) proof that the 37 CFR 1.47(b) applicant has sufficient proprietary interest in the application, and (6) a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damage.

On Jan 3, 2007 the USPTO dismissed a petition submitted September 25, 2006. According to the decision, items (2), (4), (5), and (6) were allegedly not sufficiently satisfied.

Item (2) was allegedly not satisfied because “the nonsigning inventor was presented with copies of several patent application paper and thus, it is unclear whether he is refusing to sign the application at issue.”

Based on my Declaration (i.e. of Carolyn A. Fischer), it is clear that Chikafumi Yokoyama was sent four U.S. Patent applications (58821US006, 58343US005, 59452US005, 60320US002) along with the Assignment as well as the Declaration and Power of Attorney for each of these

applications. It is also clear from the declaration that he refused to sign the patent documents pertaining to Attorney Docket No. FN59452US005 because he did not agree with the inventorship. It is also clear from the declaration that Chikafumi Yokoyama has not responded to any of my e-mails since August 30, 2006 concerning **58821US006**, 58343US005, and 60320US002.

After discussing this matter with Cynthia M. Kratz, the Attorney Advisor issuing this decision, I sent the attached correspondence to Chikafumi Yokoyama on 1-2-07 which was forwarded a second time by my assistant, Amber Nicholson, on 2-19-07. I have not received a reply.

The Applicant submits that although it may not “make sense” that Chikafumi Yokoyama will not sign 58821US006; this does not mean that he did not understand what he was being asked to sign. It is believed that the requirements concerning item (2) have been satisfied.

Concerning item (4), attached is a 37 C.F.R. 1.47(b) declaration signed by Robert W. Sprague on behalf of and as agent for 3M Innovative Properties Company.

Concerning item (5), attached is a redacted copy of p. 1 and p. 3 of a Record of Invention that establishes that the invention described in 58821US006 was made by Chikafumi Yokoyama during his employment.

Concerning Item (6), the Applicant submits that a filing date is necessary to preserve the rights of 3M Innovative Properties Company and to prevent irreparable damage.

The Applicant submits reconsideration of the 37 CFR 1.47(b) petition submitted September 25, 2006 in view of this Renewed Supplemental Petition.

Respectfully submitted,

April 2, 2007

Date

By: /Carolyn A. Fischer/

Carolyn A. Fischer, Reg. No.: 39,091

Telephone No.: 651-575-3915

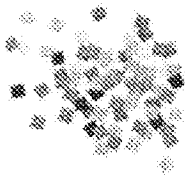
Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833



Amber M.
Nicholson/LA-Legal/3M/US
02/19/2007 03:28 PM

To: "Chikafumi Yokoyama" <yokoyama@reprocell.com>
cc
bcc
Subject: Fw: FN58821US006

----- Forwarded by Amber M. Nicholson/LA-Legal/3M/US on 02/19/2007 03:27 PM -----



Carolyn A.
Fischer/LA-Legal/3M/US
01/12/2007 04:43 PM

To: "Chikafumi Yokoyama" <yokoyama@reprocell.com>
cc
Subject: Fw: FN58821US006

3M Office of Intellectual Property Counsel
Mail Address: 220-9E-01 Office Location: 220-9-SW26
Tel: 651/575-3915 Fax: 651-736-3833

This communication contains confidential information intended only for the addressee(s) named below and may contain information that is legally privileged.

I sent a petition to the US Patent Office explaining that you have refused to sign all four of the applications that have been sent to your attention. The Attorney Advisor who reviewed the petition thought that it did not make sense that you would not sign FN58821US006 since you are the sole inventor. I was requested to send the application to you again to insure that you are not confused regarding which application you are being asked to sign. Attached is a copy of the application along with the Assignment as well as the Declaration and Power of Attorney. The signed copy can be mailed to my attention at the following address.

Office of Intellectual Property Counsel
3M Innovative Properties Company
PO Box 33427
St. Paul, MN 55133-3427



WD2005019534(A2,A3).pdf



58821US006 Formal Papers Missing Parts.doc

"Chikafumi Yokoyama" <yokoyama@reprocell.com>



"Chikafumi Yokoyama"
<yokoyama@reprocell.com>
08/30/2006 09:43 PM

To: <cafischer@m3m.com>
cc
Subject: Re: 3M Patent Application Documents

Dear Sir/Madam

Thank you very much for your e-mail.

It is true that Mr. Tamura asked me to put my signature on the patent application of FN59452DS005 as an inventor and then that I refused to do it.

When I read through the patent application before putting my signature, I thought that the patent was composed of two ROIs (RI03054 and RI04017) in which my name alone is written as an inventor. However, the other two names were added in the patent as inventors: Akira Yoda and Hiroshi Kikuchi. Therefore, I asked Mr. Tamura to investigate who should be the inventors in the patent.

He made an effort to investigate it and answered that the patent was composed of three ROIs: RI03054 (C.Yokoyama, as an inventor), RI04017 (C. Yokoyama) and RI04082 (A. Yoda).

I replied to him that if his investigation is true then the inventors should be C. Yokoyama and A. Yoda alone and that the name of H. Kikuchi should be deleted as an inventor. In addition, I said that unless description of the inventors in the patent is revised then I will not put my signature.

Afterward, Mr. Tamura replied that US attorney made the decisions to make no revision in the patent and to submit it without my signature.

I think the first things to do for 3M company and the US attorney are to investigate the truth and then to go into action with sincerity and accountability.

Best regards

Chikafumi Yokoyama, PhD
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----- Original Message -----

From: <cafischer@mmm.com>

To: <yokoyama@reprocell.com>

Cc: <ttamura@mmm.com>

Sent: Tuesday, August 29, 2006 4:41 AM

Subject: 3M Patent Application Documents

> 3M Office of Intellectual Property Counsel
> Mail Address: 220-9E-01 Office Location: 220-9-SW26
> Tel: 651/575-3915 Fax: 651-736-3833
> This communication contains confidential information intended only for the
> addressee(s) named below and may contain information that is legally
> privileged.

>
>
> Dear Mr. Chikafumi Yokoyama,

>
> It is my understanding that Toshio Tamura has presented you with a copy of
> the patent application papers to obtain your signature on Assignment
> documents as well as Declaration and Power of Attorney documents for
> submission to the United States Patent and Trademark Office pertaining to
> U.S. Patent Application Attorney docket numbers 58821US006, 58343US005,
> 59452US005, and 60320US002. In the event that you do not recall these
> applications and documents, I've attached a copy of each.

>
> Is it true that you have refused to sign these documents?

>
>
> (See attached file: 58821US006 Formal Papers Missing Parts.doc) (See
> attached file: 58821WO and TW Application.doc) (See attached file:
> 58343WO003 App.doc) (See attached file: 58343US005 Formal Papers missing
> parts.doc) (See attached file: 59452US005 Application.doc) (See attached
> file: 59452US005 Formal Papers Missing Parts.doc)
> (See attached file: 60320US002-S3M-04053.doc) (See attached file:
> 60320US002
> Formal Papers.doc)



Sumitomo/3M
Record of Invention
(Form No. RI-January 2002B)
Attorney/Client Privileged Information

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Total document size should not exceed 1.4MB

Title: Making Method of PDP Back Panel Barrier Rib and the Photosensitive Glass Paste for the Rib

Expected Disclosure:

☒ None ☐ Yes, Expected Disclosure Date:

Primary Investigator(s) Information:

Name			Employee No.	Phone No.	Technical Notebook No.	Dept. Name	Dept. No.	Signature
First	Middle Initial	Last	No.	No.				
Chikafumi		Yokoyama	048827	3579	2022	Corporate Development Laboratory	0095	

Co-Investigator(s) in other parties:

☒ None Existing

☐ Existing:

Other Party(s)

Other Investigator(s)

Field of the Invention (A short (75 words or less) description of the invention: for example, "This invention relates to a pressure sensitive tape".)

The invention relates to a making method of barrier rib of plasma display panel (PDP) and to a formulation of the photosensitive glass paste for the rib.

Description of the Invention (A short description of the invention. Description optionally includes a) summary, b) point(s) of the invention, and c) explanation and problems of current technology. Avoid use of code names, jargon, acronyms, etc., unless defined.)

a) Summary

The rib making method of the invention by using a plastic mold and the photosensitive glass paste provides high aspect ratio micro-structured patterns with no defect and high accuracy. The photosensitive glass paste includes both a surfactant having phosphate group and one having sulfonic acid group, which gives the high dispersion of glass frit in the paste and the significant reduction of the paste viscosity.

The photosensitive glass paste also provides PDP barrier rib with no defect and high accuracy

b) Point of the invention

The photosensitive glass paste of the invention is composed of:

- (1) Methacrylate as a photosensitive resin (5-15 wt%)
- (2) Dilutant (5-15 wt%)
- (3) Glass frit and ceramic particle such as alumina and titania having 0.5-5.0 micron average particle size (60-85 wt%)
- (4) Photo-initiator (0.02-0.25 wt%)
- (5) Surfactant having phosphate group (0.1-1.0 wt%)
- (6) Surfactant having sulfonic acid group (0.1-1.0 wt%)

The glass frit is highly dispersed as a primary particle in the paste, which lowers the paste viscosity significantly. For instance, the paste including 80 wt% glass frit of 0.9 micron is as low as 5000-8000 cps. The low viscosity is effective to fill the paste into the micro-structured pattern without air entrapment. The low viscosity paste is suited especially for making lattice-patterned rib without defect. In addition, the low viscosity can also reduce an imposed pressure to the plastic mold when the mold is laminated on the substrate coated with the paste. The lower pressure gives the lower dimensional distortion of the mold, which brings about higher dimensional accuracy of rib.